

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE:	:
ZIMMER M/L TAPER HIP PROSTHESIS OR M/L	:
TAPER HIP PROSTHESIS WITH KINECTIV	:
TECHNOLOGY AND VERSYS FEMORAL HEAD	:
PRODUCTS LIABILITY LITIGATION	:
	<u>ORDER OF DISMISSAL</u>
<i>This Document Relates to:</i>	:
<i>James et al. v. Zimmer, Inc. et al., 24-CV-327 (JMF); and</i>	:
<i>Dunn v. Zimmer, Inc. et al., 24-CV-540 (JMF)</i>	:
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JESSE M. FURMAN, United States District Judge:

The Court having been advised at ECF No. 653 of 18-MD-2859 that all claims asserted in the member cases *James et al. v. Zimmer, Inc. et al.*, 24-CV-327 and *Dunn v. Zimmer, Inc. et al.*, 24-CV-540, have been settled in principle, it is ORDERED that these member cases be and are hereby DISMISSED and discontinued without costs, and without prejudice to the right to reopen **within sixty days** of the date of this Order if the settlement is not consummated.

To be clear, any application to reopen these member cases **must** be filed **by the aforementioned deadline**; any application to reopen filed thereafter may be denied solely on that basis. **Further, requests to extend the deadline to reopen are unlikely to be granted.**

If the parties wish for the Court to retain jurisdiction for the purposes of enforcing any settlement agreement, they **must** submit the settlement agreement to the Court by the deadline to reopen to be “so ordered” by the Court. Per Paragraph 5.B of the Court’s Individual Rules and Practices for Civil Cases, unless the Court orders otherwise, the Court will not retain jurisdiction to enforce a settlement agreement unless it is made part of the public record.

Any pending motions in 24-CV-327 and 24-CV-540 are moot. All conferences in 24-CV-327 and 24-CV-540 are canceled. The Clerk of Court is directed to close cases 24-CV-327 and 24-CV-540 (but *not* 18-MD-2859).

SO ORDERED.

Dated: October 15, 2024
New York, New York



JESSE M. FURMAN
United States District Judge